

UNITED STATES OF AMERICA, )  
)  
Movant, )  
)  
v. )  
)  
AVERY L. SNELLING, )  
)  
Defendant. )

Case No. 08-00178-CR-W-ODS

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**  
**FINDING DEFENDANT COMPETENT (DOC. 148)**

On November 17, 2011, the Honorable Robert E. Larsen, United States Magistrate Judge for the Western District of Missouri, issued his Report and Recommendation recommending that the Court find Defendant competent to stand trial and assist in his defense. Neither party filed objections to the Report and Recommendation, and the time for doing so has passed. See 28 U.S.C. § 636(b)(1)(C); Local Rule 74.1(a)(2). On careful and independent review of the record, as well as the applicable law, the Court agrees with Judge Larsen's conclusions. The Report and Recommendation is adopted as the order of the Court. Defendant is found competent to stand trial and assist in his defense.

IT IS SO ORDERED.

DATE: December 5, 2011

/s/ Ortrie D. Smith  
ORTRIE D. SMITH, SENIOR JUDGE  
UNITED STATES DISTRICT COURT